

RECEIVED  
IN THE DISTRICT COURT OF THE UNITED  
STATES FOR THE MIDDLE DISTRICT OF  
ALABAMA, NORTHERN DIVISION

Richard Wayne Wright, Sr., \* DEMAND FOR JURY TRIAL  
Plaintiff, \*  
-VS- \* CASE NO.  
Defendants, in their \* 2:05-CV-439-WHA-CSC  
individual and official \*  
Capacity. \*

Tahir Siddiq M.D. \* Prison Health Services  
William Sanders \* (P.H.S.)  
Sherry Seals \* Brenda Austin  
Selvester Nettles \* Robert Washington  
Larry Ligon \* Elizabeth Laseter  
Paul Phillips \* Anthony Jackson  
Walton Solomon \* Melvin Austin  
Mose Foster \* Mrs. Biven-tutt  
Dr. Hammer \* Sgt. Davis  
Alberta Williams \* Mrs. Gorman  
Gwendolyn Babers \* Dr. Smith  
Officer Rudolph (BIF) \* Nurse Taylor

Alex Rudolph	* Charles Blackledge
Keith Armagost	* Eric Williams
Harvey Ruffin	* Timothy Holmes
Sgt. Specks	* Brain Hampton
officer Ellis	* Johnny Bailey
officer Franklin	* Micheal Strickland
	*

The above defendants address:  
Bullock Correctional Facility  
P.O. Box 5107  
Union Springs, Ala 36089

— — — — —

Janet Hicks  
Frank Lee Youth Center  
P.O. Box 208  
Deatsville, Ala. 36022

— — — — —

Mark Bruton	* Kenneth Cargle
Sharon Holland	* Veronica stringer
Camella Cargle	* John Dowling
Nurse Hunter	* M.L. Monk (Cos II)
Dr. Rayapati (M.D.)	* N. Burks (HAS)
Mr. Jenkins	* Carolyn Longmire
	* Lt. Taylor

(B/M)  
OFFicer Pullum (COI) \*

The above defendants address:  
Ventress Correctional Facility  
P. O. Box 767  
Clayton, Ala. 36016

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William C. Segrest  
Board of Pardons and Paroles  
301 S. RIPLEY STREET  
P. O. BOX 302405  
Montgomery, Ala. 36130-2405

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Carolyn Miles - Pruitt  
Board of Pardons and Paroles  
Probation and Parole officer  
Lee County Justice Center  
Suite 219  
2311 Gateway Drive  
Opelika, Ala. 36801-6858

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

RICHARD WAYNE WRIGHT, SR., \* DEMAND FOR JURY TRIAL  
Plaintiff, \*  
- VS - \* CASE NO.  
SYLVESTER NETTLES, et. al., \* 2:05-cv-439-WHA-CSC  
Defendants. \*

MOTION TO AMEND COMPLAINT

Plaintiff Wright filed a 1983 Civil Suit Complaint and mailed it on August 20, 2004. Plaintiff Wright believes defendant Nettles and/or agents intercepted plaintiff outgoing legal mail and prevented it from leaving Bullock Correctional Facility (here after referred to as (B.C.F.)). Plaintiff placed the correct postage stamps on such legal mail, yet it did not reach the Court as plaintiff intended. (see exhibits

one (1) through three (3)).

The two (2) years period of limitation barred plaintiff from action which occurred prior to April 30, 2003. Had not defendant Nettles and/or his agents intercepted plaintiff 1983 Civil Suit mailed on the 20th day of August 2004. The two (2) years limitation time would (at least) permitted plaintiff to include action exhibited maliciously by defendant(s) as far back as August 20, 2002, to be entertained by the Court. For such reason may the Court reconsider its order done on June 27, 2005, for such reason as indicated.

## Issue I

The Following individuals de-

defendants has shown cruel and unusual punishment in their individual and official capacity, breach of oath, breach of the 5th, 8th and 14th amendments of the United States Constitution, Cause plaintiff personal injuries and psychological injuries, deprivation of Civil rights, breach of department of Correction policies, equal protection violation and deliberate indifference.

## I.

ON August 20, 2002 a hearing was scheduled (while plaintiff was in segregation) the hearing was scheduled for August 21, 2002 recommending Force psychotropic drugs. AT the hearing plaintiff explain to Dr. Hammer and his assistants (the involuntary medication review Committee) the diagnosis as stated on the notice

For recommended treatment is False and misleading. I Clarified how (they) Could check plaintiff prison Files to verify defendants diagnosis are incorrect. Plaintiff have good reasons to believe the Comittee members ruled Force medication be Forbidden. Plaintiff ask (repeatedly) Cpt. Nettles, officer Ruffin, Dr. Smith, Dr. Sanders and Mrs. Gorman For the Comittee Written report as a prequisite right to plaintiff due process proceeding, but plaintiff was denied the report (repeatedly). Defendants Mrs. Seals and Mr. Armagost continually placed information / language in plaintiff prison file which would Cause "any viewer" of plaintiff prison file to believe plaintiff is mentally ill.

The involuntary medication review Comittee and mental health Staff / members at B.C.F. made

recommendations For plaintiff to be release From any and all mental health holds, but defendants Mr. Armagost, Mrs. Seals under the direct supervision of Cpt. Nettles and Mr. Blackledge Created others holds/restraints to hinder plaintiff liberty interest and subject plaintiff to physical and psychological pains and injuries.

IN March 2003, plaintiff was initially scheduled to be Considered For parole, but on said date plaintiff parole hearing was post poned until he receive further notice which was in July 2004.

ON August 16, 2003 defendant B. Austin Falsely accused plaintiff of Violating <sup>Rule</sup> administrative Rule # (38) (Indecent exposure/ Exhibitionism) to place this said



disciplinary infraction upon plaintiff. Subsequently, plaintiff was found guilty based solely on the arresting officer (B. Austin) unsupported statements. Plaintiff went to defendant Nettles twice, but he refused to listen to plaintiff grievance. If the hearing officer (Sgt. Smith) had of used any amount of fair judgement based on Officer B. Austin statements to her testimony, the answers defendant B. Austin answered to plaintiff questions, surely, revealed defendant B. Austin was not being truthful under oath.

Plaintiff has good reason to believe due to Sgt. Hicks direct involvement and under the supervision of defendant Nettles she was permitted to alter the date on exhibit # four (4). (See also exhibit # Five (5)). Conduct the hearing on

September 6, 2003 on the allege rule violation # (38) maliciously placed on plaintiff to cause him harm. She was permitted to ignore the Administrative Regulation # 403 (here after referred to as [A.R.] # [403]), which Forbids her From participation in the disciplinary proceeding. Defendant Nettles, Warden Holt, and Warden Boyd (all) disregarded plaintiff written statement (attach to the hearing minutes) Verifying defendant Hicks deterrence From the [A.R.] # [403]. All defendant action mention above were Comitted and permitted in bad Faith.

Plaintiff was denied parole on August 16, 2004 and set off until 2009 September. Defendant C. Pruitt Knows plaintiff was Sentence For burglary I and Assault II. she willingly and Knowing included a description of

harrasment and a rape as a ongoing problem the Victim Claims to be having with plaintiff. Defendant Pruitt knows plaintiff was not given an opportunity to refute such information she inserted into the Pre-Sentence investigation (here after refered to as (P.S.I)) report. ~~insert~~ <sup>R.W.U</sup> Defendant Pruitt willingness to write and insert such language into plaintiff (P.S.I) report with out affording plaintiff the opportunity to refute such language has impaired plaintiff significantly. It is no stigma more damaging than that of a "Sex offender" labeled upon an individual with such lasting effects. This to was done in bad Faith and Capriciously with out due process of law?

Plaintiff Cannot named all the defendant that decided with

defendant Segrest until Plaintiff motion For production of documents is granted and the proper people are named which are / were included in using such information in plaintiff prison file / P.S.I. report to deny plaintiff Fair Consideration For parole. Plaintiff was Forbidden to rebut any information used in determining his relief From prison and / or to attend the hearing to determine his fate.

ON August 20, 2004 defendant Mrs. Seals (under the supervision of defendant Nettles and defendant Blackledge) recommended plaintiff Custody be raised From minimum to maximum and refered to be sent to a level Five (V) prison (maximum Security) by placing said Security level (here after refered to as (S.L.)) five (V) upon

Plaintiff. Plaintiff was taken off the squad / trash detailed which permitted plaintiff to go outside the (Fenced in) perimeter and recommended plaintiff security level be raised to Five (V).

Defendant seals explanation for her course of action was said to be taken because plaintiff was denied parole.

ON August 26 2004 plaintiff Filed an appeal Form to Warden Holt responded (only by) Signing the appeal Form. Defendant Seals detered From her initial attempt to raised plaintiff (S.L.) to level Five (5) and reconsidered her recommendation and inform plaintiff she change her previously<sup>made</sup> decision and place plaintiff (S.L.) back to level Four (IV) as originally establish.

ON November 3, 2004, plaintiff was assaulted by inmate Solomon. This resulted in a physical fight between him and I, in which officer T. Holmes order us to stop in which we did. Defendant Babers (in the presents of Sgt. Davis, Sgt. Jackson, officer Holmes and allegedly officer E. Williams) doctored a statement alleging plaintiff confess to assaulting inmate Solomon. Officer Holmes decided to comply with Lt. Babers plot and stated as his testimony that he witness plaintiff admitting to Lt. Babers "I began to fight inmate Solomon because I had not fought in a long time and I were over due for a fight".

ON December 1, 2004 plaintiff was found guilty of Rule Violation # 31 assault on another inmate. None of the defendants

directly knowledgeable about the incident between plaintiff and inmate Solomon was present at the disciplinary hearing. Plaintiff ask about his witnesses, the hearing officer stated no witnesses was requested (due to one of my witnesses were Lt. Babers), none of plaintiff witnesses were recorded. Defendant R Washington held the hearing on the telephone. Defendant R. Washington, Sgt. Ligon and officer P. Philips conducted the hearing as they wish too. The injuries plaintiff suffers as a result of being assaulted by inmate Solomon leaves plaintiff with frequent head aches.

Plaintiff was effected greatly by defendant Nettles action with the aid of his agents working within the

(Seg.) Unit From November 3, 2004 until March 3, 2005.

Defendant Nettles order part of plaintiff legal mail be held in storage. (see Exhibit 6).

Plaintiff requested to see Warden Holt or Warden Boyd the entire time he was in the (Seg.) unit, but was never permitted to see him. Defendants demonstrated what would happen to plaintiff if (he) failed to come out of the cell by using inmate Dillard as a example in December. Plaintiff listen as inmate Dillard yelled for them to stop hitting him. ON or about a week later Cpt. Nettles beat Dillard again and he was transferred after ward and I have not heard any thing about him since then. Plaintiff was put into a double (seg.) Cell on three different occation where in the inmate house with plaintiff made



aggressive threatening statements. Plaintiff ask to be put in (P.C.) status repeatedly, but his pleas came to no avail. Officer Foster and officer Ruffin intervene and discarded plaintiff Sick Call slips on many occasion when plaintiff attempted to discuss concerns about his medication with the nurse he stop the conversation by ordering the nurse to leave the cell door with out giving me the medication.

Defendant Nettles and Sgt. Specks demonstrated their willingness to assault an inmate and abuse their authority. They emphasize what would happen to plaintiff if he did not harken to their demands. Plaintiff wrote the Wardens a sworn affidavit about the last incident Plaintiff was expose to.

Sgt. Williams Separate inmate Jones From plaintiff (due to) Verbal indirect / direct threats inmate Jones made to plaintiff. Officer Foster took it upon himself to place plaintiff in the exercise Cage with inmate Jones a Few days later. Plaintiff verbally mention to Cpt. Nettles his fears while in (seg.) Cpt. Nettles attitude was nonchalant.

Plaintiff was finally transferred From Bullock Correctional Facility (B.C.F.) to Ventress Correctional Facility (V.C.F.). ON March 3, 2005. Despite the threats inmate Jones made plaintiff were transferred on the same Vehical to (V.C.F) after a few weeks of being around inmate Jones he began exhibiting that same aggressive behavior I witness at (B.C.F.). I immediately wrote Cpt.

Monk. Lt. Dowling Call plaintiff in reference to the request Slip sent to Cpt. Monk. I explain to Lt. Dowling the history of threats From inmate Jones. Lt. Dowling took plaintiff to Mr. Bruton on March 17, 2005, Mr. Bruton was negative about my request For (P.C.) and stated he would do what he could to ensure I never make parole. Plaintiff was put in the (Seg.) unit at (V.C.F) after two (2) weeks plaintiff enquired about his status and Mr. Bruton plans For him with Sgt. Seals. Plaintiff was put back in population around inmate Jones. Plaintiff was shown again certain prison official has no concerns For plaintiff safety (remaining Free From harm).

Plaintiff met with Mrs.

Seals in April 2004 and again was denied a transfer. Mrs. Seals made a comment during our conversation that I had a serious demerit. I ask her what she meant which she chose to change the subject and disregard plaintiff request for an explanation to her statement. Plaintiff also indicated he has been cleared from any and all ties to the mental health staff. I later found out there's a disease call dementia which leads plaintiff to believe that's what Mrs Seals were talking about. And that the defendants intended to avoid plaintiff complaints of illness he has suffered this past year. I found out in Title 20-50-70 to 20-50-74 that the life expectancy for a dementia victim is (6) to (8) years after onset. Plaintiff

deals with the mental anxiety and wonder has defendants decided to go (so far) in their retaliation, to enhance plaintiff to death in the next six (6) to eight (8) years or maybe sooner. From the use of the psychotropic drugs defendant Dr. Sander prescribe plaintiff, plaintiff now suffers from many unexplain physical ailments.

On Thursday March 10, 2005 plaintiff was threaten with violence by Lt. Holland in the Kitchen (at breakfast) due to the written shaving profile the Nurse at (V.C.F.) rewritten the profile plaintiff had from (B.C.F.). Lt. Holland referred plaintiff to Sgt. Cargle, while Lt. Holland talk with the white / male (W/M) officer that initially question plaintiff about his shaving profile. During the Conversation

between plaintiff and Sgt. Cargle Lt. Holland return and ask to see the sharing profile again. Plaintiff was taken into the office in the Kitchen and threaten by Lt. Holland which conversation took place between plaintiff and Lt. Holland as following:

"Lt. Holland-- If you ever be told to leave this Kitchen and dont leave you are going to get some action.  
Plaintiff-- Some action!  
Lt. Holland-- Yes, Some action! If you be told to leave and don't leave you going to get some action. (she gave me the profile back and I return to the dorm I was housed in)".

On Friday, March 11, 2005 (breakfast time) Sgt. Cargle stop me in the Kitchen line (while I held the new profile and my I.D. card in my hand) she ask me why I had hair by my ears (side burns). I replied, "I shave it at the same time I shave my beard. Sgt. Cargle stated, "give me that profile, I'm going to show you how to read a profile". She pointed at the profile emphasizing no hair is to be on my (side burns) or (top lip). Sgt. Cargle further stated, "if you come in here again like this you won't be eating". She gave me the profile and I receive a tray, ate, and left.

It was at this point plaintiff realizes Lt. Holland had the Nurse to alter plaintiff shaving profile into her specifi-

Cation, not as the doctor had suggested the profile should read due to plaintiff infected Face

On Wednesday March 16, 2005. Sgt. Cargle told me I was really pushing it. I handed (her) the profile, but she would not take it. Sgt. Cargle and plaintiff conversation transpired as following:

" Sgt. Cargle-- When are you going to shave?

Plaintiff-- I'll shave today if you want me too.

Sgt. Cargle-- So, when are you going to shave?

Plaintiff-- Today.

Sgt. Cargle-- You just keep on pushing it".

Sgt. Cargle waved her hand in my face in gesture for me to



get out of her Face. Plaintiff Went down the line, receive a tray, ate and left. Plaintiff Knows Not when Sgt. Cargle or / and Lt. Holland shall initiate "unnecessary" Physical Force upon plaintiff. Where in, plaintiff will be accused of an assault on them as he has observe From their Co-workers Common practices to shift the blame on the inmate. Plaintiff is Convince Collectively defendant Lt. Holland and Sgt. Cargle has intervened into plaintiff medical treatment remedies, as well as, harrass and threaten plaintiff in the describe manners. Plaintiff written notices to their Supervisor(s) remain unanswered and Lt. Holland and Sgt. Cargle action unchecked.

Plaintiff was intentionally allowed to be around two (2) inmates

Which had tested positive and/or had been prescribe medication For (T.B.). Inmate Jones started taken (T.B.) medication after plaintiff was moved out of the Cell with him Plaintiff later Found out inmate Jones suspected he Contracted the disease From the inmate that was in the Cell a week or two (2) before plaintiff was force to be housed with inmate Jones (orders of defend ant Nettles). Plaintiff later found out inmate Johnny Head was taken (T.B) medication and had tested positive as well. Inmate Head walk with plaintiff on the exercise yard and talked directly in plaintiff Face.

Plaintiff Complained to the Prison Health Services (Here after refered to as (P.H.S.)) employees

but they Failed to give plaintiff any medical treatment / attention Concern (T.B) Symptoms. Plaintiff ask For medical help / treatment at (B.C.F.) and at (V.C.F.) on the Following dates and never receive the proper treatment. Plaintiff requested treatment on November 10<sup>th</sup>, 17<sup>th</sup>, 22<sup>nd</sup>, 23<sup>rd</sup>, 24<sup>th</sup>, 30<sup>th</sup> of 2004; December 2<sup>nd</sup>, 7<sup>th</sup>, 11<sup>th</sup>, 16<sup>th</sup>, 21<sup>st</sup> of 2004. The Days plaintiff was permitted to see doctor Siddag and (P.H.S) employees they refuse to give plaintiff Copies of the Sick Call Slips (as a Common practice). If the defendants would of Followed (B.C.F.) and (P.H.S.) Polices pertaining to health Care Services.

Plaintiff ask For his sugar level check (tring to diagnose his Sickness / illness due to defend ants

neglect) plaintiff still seeks explanation for symptoms of out break of sores on legs, back hands, face and head. Plaintiff have sent Complaint Forms to the (P.H.S.) staff and institution officials at (B.C.F.) and (V.C.F.). Plaintiff Complaints has been minimized on several occasion and totally disregarded plaintiff Complaints in part or (and (as a whole) on others.

P.H.S. medical staff has been directly influence by the A.D.O.C. officials which plaintiff believes (to be why(?)) plaintiff is receiving so very little treatment and at times no treatment at all pertaining to reported Sickness.

On April 26, 2005 the (P.H.S.) medical staff discarded plaintiff of the allergy reaction

the (T.B.) Skin test has had on him, after Consecutively taken Five (5) T.B. Skin test within the past 10 months. Lt. Dowling order plaintiff to be lock up in <sup>the</sup> Seg unit. Placed a disciplinary infraction upon plaintiff. Lt. Dowling motives are demonstrated to show plaintiff he can do what he wants to even when the ~~is~~ <sup>R.W.W.</sup> plaintiff health is at stake.

### Relief Sought

That the Court place an injunction / order on the defendants to have the A.D.O.C. officials to sign a legal mail log for any and all of plaintiff incoming and out going legal mail. For this Court to issue a restraining order upon defendants to preserve plaintiff life § 18 USC 5003

and section 30-5-1, et. seq. (Ala. Code 1975), as afforded by the United States Constitution Amendment Fourteen (14). Injunction For excessive and inappropriate use of psychotropic drugs with intent to Conspire to Commit murder. Criminal Charges Violation 18 USC 242. Cruel and Unusual punishment (6-11-20) (\$3,000,000) Punitive Damages in the amount of (\$3,000,000).

Punitive damages (\$3,000,000).

Monetary damages (\$3,000,000).

Personal injury (\$3,000,000). Psychological damages (\$3,000,000).

Deliberate indifference (\$3,000,000).

Injunction For denying (P.C.)

(6-6-500) to (6-6-503). 42

USC 1985 Conspiracy. 42 USC 1997 violation of an institutionalized person. Order defendants to expunge the False information

From plaintiff prison file / P.S.I.  
report Concerning the allege rape.

Where Fore, the Court Con-  
sidered this Complaint For  
jury trial and that Cost  
be assessed against the  
defendants ( Cost of Court,  
Cost of Copies, Cost of postage, eg.,  
al.). Any and all other relief  
that is deemed by the Court.

Done this the 25th day  
of July 2005.

Respectfully Submitted,

Richard W. Wright, Sr.

Richard Wayne Wright, Sr.,  
Pro - se

Plaintiff's Address

Richard Wayne Wright, Sr.

A.I.S # 187140 Dorm 6A Bed 2

Ventress Correctional Facility  
P.O. Box 767  
Clayton, Ala. 36016

CERTIFICATE OF SERVICE

This is to certify that I am the plaintiff in the above encaptioned matter and I have this 25th day of July, 2005, sent this Complaint For filing, to the Clerk of the Court, by placing same in the United States Mail, First Class postage pre paid and properly addressed this the 25th day of July, 2005.

Respectfully Submitted,  
Richard W. Wright, Sr.  
Richard Wayne Wright, Sr.,  
Pro- se.